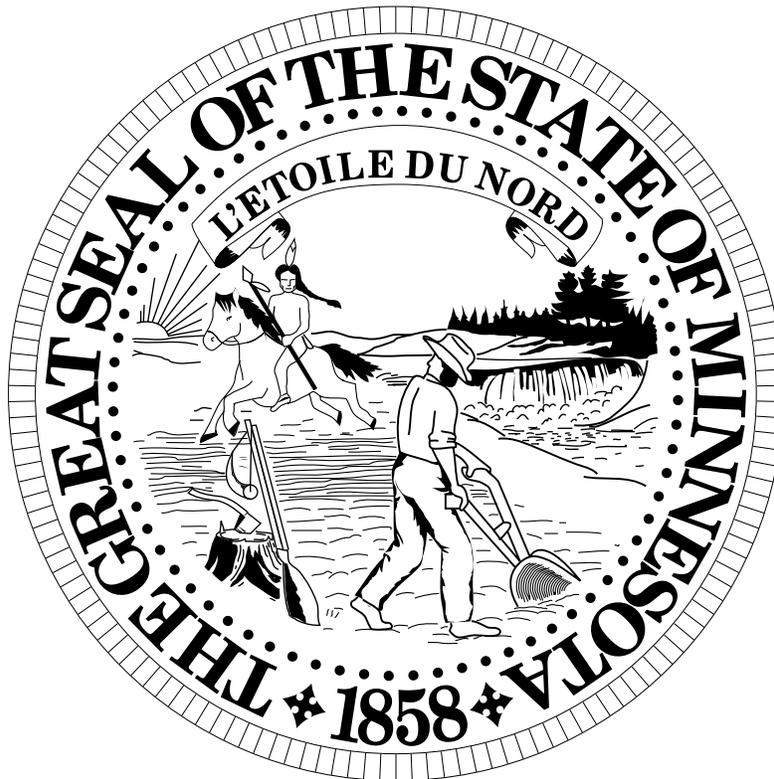


State of Minnesota

State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the
Department of Administration – Communications Media Division

Monday 29 October 2001
Volume 26, Number 19
Pages 561-600

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

Jesse Ventura, Governor (651) 296-3391	Mike Hatch, Attorney General (651) 297-4272	Mary Kiffmeyer, Secretary of State (651) 296-2079
Mae Schunk, Lt. Governor (651) 296-3391	Judi Dutcher, State Auditor (651) 297-3670	Carol Johnson, State Treasurer (651) 296-7091
Department of Administration: David F. Fisher, Commissioner (651) 296-1424 Kent Allin, Asst. Commissioner (651) 297-4261	Communications Media Division: Mary Mikes, Director (651) 297-3979 Chris Schanus, Manager (651) 282-2974	Robin PanLener, Editor (651) 297-7963 Jane Schmidley, Assistant Editor (651) 296-4273 Jessie Rahmeyer, Subscriptions (651) 297-8774

Printing Schedule and Submission Deadlines – SEE NOTICE AT BOTTOM OF PAGE

Vol. 25 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#19	Monday 29 October	Noon Wednesday 17 October	Noon Tuesday 23 October
#20	Monday 5 November	Noon Wednesday 24 October	Noon Tuesday 30 October
#21	TUESDAY 13 NOVEMBER	Noon Wednesday 31 October	Noon Tuesday 6 November
#22	Monday 19 November	Noon Wednesday 7 November	Noon Tuesday 13 November

Copyright © 2001 Communications Media Division, Department of Administration, State of Minnesota.
Publication Number: 326630 (ISSN 0146-7751)

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: (800) 627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Solicitation Announcements*. See the *State Register* and *Solicitation Announcements* at website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- *Solicitation Announcements* (published every Tuesday and Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Solicitation Announcements* \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Solicitation Announcements* \$1.00. Shipping is \$3.00 per order.

PUBLISHING NOTICES IN THE *State Register*: Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to (651) 297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$122.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

"Affidavit of Publication" costs \$10.00 and includes a notarized "Affidavit" and a copy of the issue.

The *State Register* is published by Communications Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning.

Legislative Information

Senate Public Information Office (651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155

Website: www.senate.leg.state.mn.us/departments/secretary/seninfo.htm

House Information Office (651) 296-2146

State Office Building, Room 175, 100 Constitution Ave., St. Paul, MN 55155

Website: www.house.leg.state.mn.us/hinfo/hinfo.htm

Minnesota State Court System

Court Information Office (651) 296-6043 Website: www.courts.state.mn.us
Minnesota Judicial Center, Room 135, 25 Constitution Ave., St. Paul, MN 55155

Minnesota Rules: Amendments & Additions		
Volume 26, Issues #15-19.....	564	
Expedited Emergency Rules		
Natural Resources Department		
Adopted expedited emergency rules relating to game and fish; designated special management waters	565	
Withdrawn Rule		
Chiropractic Examiners Board		
Withdrawal of rule and cancellation of hearing on proposed rules on definition: doctor-patient relationship.....	566	
Revenue Notices		
Department of Revenue		
Revenue Notice #01-06: Mortgage Registry Tax - Exemption for mortgages that secure qualifying agricultural loans.....	566	
Revenue Notice #01-07: Property Tax - Homestead classification; revocation of revenue notice #95-07	568	
Official Notices		
Agriculture Department		
Notice of surcharge increase in Agricultural Chemical Response and Reimbursement Account (ACRRA) beginning year 2002.....	569	
Public input meetings regarding the agricultural chemical response and reimbursement account (ACRRA) Program	570	
Human Services Department		
Applications sought for compulsive gambling advisory committee.....	570	
Labor and Industry Department		
Addition to highway/heavy prevailing wage rate for piledriver	571	
Correction to highway prevailing wage rate for landscaping laborer	571	
Minnesota Partnership for Action Against Tobacco		
Nominations accepted for two vacancies on the board.....	571	
Pollution Control Agency		
Request for comments on plans to amend parts of solid waste management rules	572	
Public Safety Department		
Request for comment on:		
• planned amendments to driver license agents	575	
• planned amendments to incidents for license withdrawal relating to driving while impaired.....	576	
• planned rules for undercover motor vehicle license plates and driver's licenses.....	577	
• planned amendments to vehicle license plates and physically disabled parking privileges.....	578	
• planned changes to driver education programs, driver improvement clinics and accident prevention courses....	579	
• planned rules for the licensure of motor vehicle dealers.	581	
• planned rules for the registration and taxation of commercial vehicles.....	582	
		• planned rules on the registration and titling of motor vehicles
		583
		• planned amendments to rules relating to bicycle registration
		583
		• planned permanent rules to driver's tests and test waivers
		584
		• planned amendments to permanent rules to deputy registrars.....
		585
		• planned amendments to permanent rules on the loss of driving privileges.....
		586
		• planned amendments to rules relating to qualifications for school bus drivers.....
		589
		• planned permanent rules for third parties who administer driver's tests
		590
		State Grants & Loans
		Health Department
		Grant opportunity for direct service or housing to the elderly in Minnesota
		591
		State Contracts
		Administration Department
		Applications accepted for licenses for private use of antenna sites on certain Mn/DOT-owned radio communications towers statewide
		593
		Updated terms and conditions for sale of state property.....
		593
		Corrections Department
		Request for proposals for non-compensated services faith based pre-release program at Minnesota Correctional Facility-Lino Lakes.....
		593
		Finance Department
		Request for proposals to perform arbitrage rebate calculations on state revenue bonds.....
		594
		Housing Finance Agency
		Request for proposal to serve as investment banker
		594
		Human Services Department
		Extension of response deadline to 12-03-01 for request for proposal for local project administrators for the consumer directed home care demonstration project
		595
		Request for proposals to provide management analysis and recommendations for improvement of the state's voluntary paternity acknowledgement program
		596
		Military Affairs Department
		Request for proposals for engineering services for repairs, modifications and painting of two water towers, Camp Ripley, Little Falls, Minnesota
		596
		Non-State Contracts & Grants
		Metropolitan Council - Metro Transit
		ADA improvements for bus shelters.....
		597
		University of Minnesota
		Bid Information Service (BIS) available for all potential vendors.....
		598

Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

Volume 26, Issues #15-19

Chiropractic Examiners Board	
2500.6000 (proposed)	512
2500.6000; .6050 (withdrawn)	566
Higher Education Services Office	
4850.0011; .0014; .0016; .0017 (proposed)	546
4850.0011 s.28 (proposed repealer)	546
Labor and Industry Department	
5205.0010 (adopted exempt)	490
5219.0500; 5221.4020 (adopted exempt)	490
Natural Resources Department	
6264.0400 (adopted expedited emergency)	565
6264.0400 s.4 (May 7, 2001, 25 SR 1779, and June 25, 2001, 25 SR 1965) (repealed)	565

Public Safety Department	
7502.0420 (adopted exempt)	491
Human Services Department	
9505.0045; .0065; .0075; .0110; .0115 (proposed)	484
9505.0015, s. 2,7,10,15,26,29,30,35,43; .0016; .0020; .0030, s. 2,3; .0040; .0044; .0055, s. 1,2,3,4; .0058; .0059; .0060; .0061; .0062; .0063; .0064; .0065, s. 2,3,4,5,6,7,8,9,10,11,12; .0070, s.9; .0071, s.3,4; .0075, s.1,2,3,5,6,7,8,9,10; .0090, s.1; .0110, s.2; .0115, s.3,5; .0120; .0130 s.3; .0135, s.5,6; .0145; .0150 (proposed repealer)	484
9505.0390 (adopted)	487

Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months. Specific *Minnesota Statutes* citations accompanying these emergency expedited rules detail the agency's rulemaking authority.

Department of Natural Resources

Adopted Expedited Emergency Rules Relating to Game and Fish; Designated Special Management Waters

NOTICE IS HEREBY GIVEN that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of these rules is *Minnesota Statutes*, section 97A.045, subdivision 2, and 97C.005.

Dated: 22 October 2001

Allen Garber
Commissioner of Natural Resources

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

[For text of subs 1 to 3, see M.R.]

Subp. 4. Mille Lacs Lake special management regulations.

A. Except as provided in item B, all walleye in possession while on or fishing in Mille Lacs Lake must be from 14 inches to ~~20~~ 18 inches in length, inclusive. All walleye that are less than 14 inches or greater than ~~20~~ 18 inches in length must be immediately returned to the water.

B. Notwithstanding item A, a person's possession limit may include one walleye over ~~26~~ 28 inches in length.

[For text of items C to E, see M.R.]

F. The commissioner may modify seasons and limits under *Minnesota Statutes*, section 84.027, subdivision 13, or sections 97A.0451 to 97A.0459, to accommodate tribal declarations for fish harvest in the 1837 Ceded Territory in compliance with the court ruling in *Mille Lacs Band of Chippewa v. Minnesota*, 119 S.Ct. 1187 (1999). Changes shall be posted at water access sites and the Department of Natural Resources Web site.

Name	Location	County
Mille Lacs	T.42-45, R.25-28, S. Various	Aitkin, <u>Crow Wing</u> , Mille Lacs

[For text of subs 5 to 16, see M.R.]

REPEALER. The expedited emergency amendments to *Minnesota Rules*, part 6264.0400, subpart 4, published in the *State Register*, volume 25, page 1779, May 7, 2001, are repealed. The expedited emergency amendments to *Minnesota Rules*, part 6264.0400, subpart 4, published in the *State Register*, volume 25, page 1965, June 25, 2001, are repealed.

EFFECTIVE DATE. The expedited emergency amendments to *Minnesota Rules*, part 6264.0400, subpart 4, and the repealer are effective December 1, 2001.

Withdrawn Rules

An agency may choose to withdraw rules it has proposed, thus cancelling any time-sensitive schedule for public comment, hearing, or further movement toward the rules' adoption. These rules will be listed as withdrawn by their individual rules numbers in the *State Register's* index to rulemaking activity. **Minnesota Rules: Amendments and Additions.** An agency that chooses to withdraw proposed rules, may reintroduce those same rules at a later date.

Minnesota Board of Chiropractic Examiners

NOTICE OF WITHDRAWAL OF RULE AND CANCELLATION OF HEARING on Proposed Rules Governing Definition: Doctor-Patient Relationship, *Minnesota Rules, 2500.6000 and 2500.6050*

There will be no hearing. In the July 23, 2001, *State Register*, 26 SR 75-76, the Chiropractic Board published a Notice of Intent to Adopt Rules relating to the Definition of Doctor-Patient Relationship and Sexual Misconduct. The Board received more than 25 requests for a hearing. A Notice of Hearing was published in the September 17, 2001, *State Register*, 26 SR 386-387, and a hearing was scheduled for October 29, 2001. Many changes were made to the language based on the comments and negotiations in an attempt to secure the withdrawal of sufficient requests to cancel the hearing. Due to the numerous language changes being discussed, and time constraints with the approaching hearing, the board rescheduled the hearing to November 26, 2001. This change was published in the October 8, 2001, *State Register*, 26 SR 512-513. However, due to the lack of board resources caused by the striking state employees, the board has elected to withdraw this rule. The Board may attempt to develop a new rule at a later date with new language based on the negotiations done to date.

Dated: 22 October 2001

Larry A. Spicer, DC
Executive Director

Revenue Notices

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* § 270.0604.

Department of Revenue

Revenue Notice #01-06: Mortgage Registry Tax - Exemption for Mortgages that Secure Qualifying Agricultural Loans

Introduction

A mortgage registry tax exemption was enacted in 2001 for mortgages securing loans that are used to acquire or improve certain types of agricultural real property. This Revenue Notice provides guidance on the applicability of the exemption. The exemption is set forth in *Minnesota Statutes* section 287.04, clause (i), as follows:

an agricultural mortgage if the proceeds of the loan secured by the mortgage are used to acquire or improve real property classified under *Minnesota Statutes* section 273.13, subdivision 23, paragraph (a), or (b), clause (1), (2), or (3).

Department Positions**1. Definition of Agricultural Mortgage**

For the purposes of this exemption, a mortgage is an agricultural mortgage to the extent that it secures a loan intended to be used to acquire or improve qualifying real property, and the qualifying real property is further intended to be used for the production of agricultural products as defined in *Minnesota Statutes* section 273.13, subdivision 23, paragraph (e).

Thus, if the intent of the loan is to finance the acquisition of qualifying real property that will be converted to a non-agricultural use, or if the proceeds are intended to be used to improve qualified real property in a way that converts its use to a non-agricultural use, the mortgage is not exempt. Similarly, if the proceeds of a loan are used, or are intended to be used, to acquire or improve a house, a residential-use garage, or the immediately surrounding one acre of land, the mortgage will not be exempt, even if the house, garage and acre of land are part of an agricultural homestead.

2. Definition of Acquire

For the purpose of this exemption, a loan is used to acquire real property if the proceeds are used to purchase real property. Loans used to finance the leasing of real property are not included in this definition.

3. Definition of Improve

A loan is used to improve real property to the extent that the proceeds of the loan are used to: (i) construct or improve buildings and fences used for agricultural purposes; or, (ii) improve the land itself by financing ditching, draining, grubbing, clearing, breaking, or any other necessary or useful improvement which is of permanent value to the land and which is related to preparing the land, or enhancing its utility, for the production of agricultural products. Expenditures for both the involved labor, as well as any associated materials that are either consumed in the performance of the labor or permanently incorporated into the land, are included. Improvements are betterments that change the character of real property by increasing its value, extending its useful life, or adapting it to a new use. The exemption does not apply to mortgages that secure loans used to make repairs. Repairs are work done to property to keep it in good order or maintain its current value.

4. Definition of Real Property

For purposes of this exemption, real property includes the land itself, and all buildings, structures, or fixtures on it. Real property does not include tools, implements, machinery, or equipment attached to or installed in the real property, regardless of size, weight, or method of attachment.

Therefore, if the proceeds of a loan are used to acquire things that are not real property, things such as seeds, fertilizer, or farm implements, the associated mortgage is not exempt. Similarly, if the proceeds of a loan are used to improve property that is not real property, such as when a loan is used to increase the capacity of a portable grain dryer, the associated mortgage is not exempt.

5. Current Classification of Property Being Acquired or Improved

For the purposes of this exemption, the acquired or improved real property must be classified under *Minnesota Statutes* section 273.13, subdivision 23, paragraph (a), or (b), clause (1), (2), or (3), at the time the mortgage is presented for recording. *Minnesota Statutes* section 273.13, subdivision 23, paragraph (a), is the property tax classification statute for homesteaded agricultural land and improvements. Paragraph (b), clauses (1) and (2), are property tax classification provisions for timberlands; and, paragraph (b), clause (3), is the property tax classification provision for non-homestead agricultural real property. The most recent valuation notice for the property issued under *Minnesota Statutes* section 273.121 may be used to document the current classification of the property. However, this method may not be used prior to the issuance of the valuation notice for the current assessment year if the classification of the property was changed for the current assessment year.

6. Mixed-purpose and Re-financing Loans

Mortgages that secure re-financing loans are entitled to the exemption if the proceeds from the re-financing loan are used to pay-off a prior loan that was used to improve or acquire qualifying real property.

Pro-ration of the exemption is required in cases where the mortgage secures a mixed-purpose loan. If only a portion of the loan proceeds are used for exempt purposes, the tax applies to the remaining principal debt amount.

Revenue Notices

7. Required Documentation

The mortgagor or mortgagee, or both, must provide a signed statement to document the fact that they have claimed this exemption. The statement may either be incorporated into the body of the mortgage or, the statement may be made in a separate document that is attached to, and recorded as a part of, the mortgage to which it relates.

8. Effective Date

The exemption is effective for mortgages that are both acknowledged and recorded on or after August 1, 2001. For the purpose of this effective date, acknowledged means that the mortgagor has signed a notarized statement appearing within the mortgage stating that they caused the mortgage to be prepared, and have signed it, for the purposes stated therein.

Jennifer L. Engh
Assistant Commissioner for Tax Policy

Department of Revenue

Revenue Notice #01-07: Property Tax - Homestead Classification; Revocation of Revenue Notice #95-07

A. Revocation of Revenue Notice #95-07

Due to 2000 law changes, Revenue Notice #95-07 is hereby revoked.

B. Eligibility of Real Property Held by a Trustee Under a Trust Agreement for the Property Tax Homestead Classification

The requirements for obtaining the property tax homestead classification for real estate that is held by a trustee under a trust agreement are contained in *Minnesota Statutes* section 273.124.

C. Application Form

For any type of homestead property, a properly completed application submitted to the county or city assessor is necessary in order to obtain the homestead classification for the eligible property. In the case of property held by a trustee under a trust, the person(s) occupying and using the property as their homestead must complete and submit an *Application for Homestead Classification for Real Property Held by a Trustee* by December 15 of the assessment year. These forms are available from county and city assessors.

D. Penalties

Whenever homestead property is sold or transferred, or if the qualified applicant ceases to occupy it as their homestead, the assessor must be notified. Failure to notify the assessor as required by law could result in a denial of property tax homestead benefits for the current year and the imposition of penalties. Information on these penalties is contained on the homestead application form.

Jennifer L. Engh
Assistant Commissioner for Tax Policy

Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

Department of Agriculture

Notice of Increase in ACRRA Surcharges

The Commissioner of the Minnesota Department of Agriculture is announcing a surcharge *increase* to the Agricultural Chemical Response and Reimbursement Account (ACRRA) beginning the year 2002. This surcharge increase will affect those currently paying ACRRA fees.

Annually, and pursuant to *Minnesota Statute* 18E.03, subd. 3. (2000), the Commissioner of Agriculture determines the amount of ACRRA surcharges to be paid by various persons to adequately fund the ACRRA Program.

The ACRRA, by statute, must maintain an unencumbered balance between one and five million dollars. The balance, after the addition of 2001 surcharges is projected to be between one and two million dollars. Reimbursements or payments expected to be ordered by the ACRRA board during the next year (2002) are estimated to be \$2,500,000.

Consequently, the MDA has determined that increasing the surcharge is necessary because, according to current projections, the minimum account balance cannot be maintained as required by statute. The ACRRA Board concurred with the MDA's determination at its August 15, 2001 meeting, but the Board also recognizes and urges the Commissioner to address the long-term funding mechanism for the 'ACRRA Account' and urges a thorough evaluation of the funding mechanism to insure fund solvency.

Public meetings will be scheduled later this fall to solicit input on the ACRRA program. For additional information, please contact Victoria Cook, Executive Director at **phone:** (651) 296-3349 or **email:** victoria.cook@state.mn.us

Listed below are the INCREASED surcharges.

Dated: 16 October 2001

ACRRA Surcharge Increases - beginning January 1, 2002

- For pesticide registration application fee under *Minnesota Statute* 18B.26, Subd. 3: the surcharge is equal to **0.3 percent of sales** of the pesticides in the state and sales of pesticides for use in the state during the period January 1, 2002 through December 31, 2002.
- For fertilizers, soil amendments, and plant amendments inspection fee under *Minnesota Statute* 18C.425: the surcharge is **\$0.30 per ton**.
- For Pesticide Dealer sites licensed under *Minnesota Statute* 18B.31, Subd. 5 – where pesticides are stored or distributed: the surcharge is **\$225 per license**.
- For Agricultural Fertilizer Dealers and Fertilizer Lawn Services sites licensed under *Minnesota Statute* 18C.415 and 18C.425: where a fertilizer, plant amendment, or soil amendment is distributed: the surcharge is **\$225 per license**.
- For Structural Pest Control Company license only, under *Minnesota Statute* 18B.32, Subd. 6: the surcharge is **\$150 per license**.
- For Commercial Pesticide Applicator license, under *Minnesota Statute* 18B.33, Subd. 7: the surcharge is **\$60 per license**.
- For Noncommercial Pesticide Applicator license, under *Minnesota Statute* 18B.34, Subd. 5: the surcharge is **\$60 per license**.
- For Aquatic Pest Control Applicator license, under *Minnesota Statute* 18B.315: the surcharge is **\$60 per license**.
- For each site where pesticides are stored and sold for use outside the state, under *Minnesota Statute* 18E.03, Subd. 4(e): the surcharge is **\$3,000 yearly**; unless;
 - (1) the distributor properly documents that it has less than two million dollars (\$2,000,000) per year in wholesale value of pesticides stored and transferred through the site; or
 - (2) the registrant pays the registration surcharge (see above) and the registration fee under *Minnesota Statute* 18B.26, Subd. 3: for all of the pesticides stored at the site and sold for use outside of the state.

Persons desiring further information or a full copy of the public notice may contact Victoria Cook, Executive Director, ACRRA Board, at the Minnesota Department of Agriculture at (651) 296-3349 or Sharon Huber at (651) 297-3490. If you prefer, you may **email** Victoria or Sharon at: victoria.cook@state.mn.us or sharon.huber@state.mn.us

Official Notices

Department of Agriculture

Agronomy and Plant Protection Services Division

Notice of Public Input Meetings regarding the Agricultural Chemical Responses and Reimbursement Account (ACRRA) Program

The Agricultural Chemical Responses Compensation Board (ACRRA) and the Minnesota Department of Agriculture will be holding public input meetings to discuss program revisions and future needs. All interested parties are welcome to attend. The following meetings have been scheduled:

November 14
1:30 p.m. to 4:30 p.m.

November 16
10:00 a.m. to 1:00 p.m.

November 27
1:00 p.m. to 4:00 p.m.

November 28
9:00 a.m. to 12:00 p.m.

St. Paul - MN Department of Agriculture, Conference Room 1
90 W. Plato Boulevard, (651) 296-6121

Mankato - Blue Earth County Library Auditorium
100 E. Main Street, (507) 387-1856

Marshall - MN Dept. of Transportation South Conference Room
1800 East College Drive, (507) 657-3748

Detroit Lakes - City Hall Council Chambers
1025 Roosevelt Avenue, (218) 847-5658

If you wish additional information on these meetings or the ACRRA program, please contact Victoria Cook, Executive Director, ACRRA Board, at the Minnesota Department of Agriculture at **phone:** (651) 296-3349 or send an **email:** victoria.cook@state.mn.us

Department of Human Services

Mental Health Division

Compulsive Gambling Program

Applications Sought for Compulsive Gambling Advisory Committee

The Minnesota Department of Human Services is seeking applications to fill 12 positions on its Advisory Committee on Compulsive Gambling. Terms run from January 1, 2002, to December 31, 2003. Applications are due November 15, 2001.

The committee, which meets bimonthly, is charged with advising the department on policy, programs and funding related to the Compulsive Gambling Treatment Program mandated under *Minnesota Statute* 245.98. The program sets treatment certification standards and also funds inpatient and outpatient treatment, research, a resource library, public education and awareness efforts, in-service training and statewide conferences and a statewide, toll-free, 24-hour referral service number 1-800-437-3641.

In making appointments, consideration will be given to achieving geographic, age, gender and cultural balance on the committee. Applicants' knowledge of the program and the economic and social impacts of gambling also will be considered.

Interested persons should contact Kathleen Porter at **phone:** (651) 582-1819, **fax:** (651) 582-1831, or **email:** kathleen.porter@state.mn.us

Department of Labor and Industry

Labor Standards

Notice of Addition to Highway/Heavy Prevailing Wage Rates

A rate has been added to the **Highway/Heavy** Prevailing Wage Rates certified 10/01/01, for **Region 10, Labor Code 416 Piledriver**.

A copy of the certification with addition, may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road North, St. Paul, Minnesota 55155-4306, or by calling (651) 284-5091. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Shirley I. Chase
Commissioner

Department of Labor and Industry

Labor Standards Unit

Notice of Correction to Highway/Heavy Prevailing Wage Rates

A correction has been made to the **Highway/Heavy** Prevailing Wage Rates certified 01/10/01, in **Region 04, Labor Code 103, Laborer, Landscaping**.

A Copy of the corrected certification may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306 or by calling (651) 284-5091. Charges for the cost of copying and mailing are \$.65 per page. Make check or money order payable to the State of Minnesota.

Shirley I. Chase
Commissioner

Minnesota Partnership For Action Against Tobacco

Nominations Accepted for Two Vacancies on Its Board

NOTICE IS HEREBY GIVEN that the Minnesota Partnership for Action Against Tobacco (MPAAT) announces two vacancies on its Board of Directors and is soliciting nominations for those two positions.

MPAAT is the non-profit foundation incorporated as part of the state of Minnesota's 1998 settlement with tobacco manufacturers. MPAAT is a private organization but operates under the jurisdiction and supervision of the District Court of Ramsey County.

In accordance with the Court Order, the MPAAT Board of Directors consists of two directors appointed by the Speaker of the House, two by the Senate Majority Leader, two by the Governor, two by the Attorney General and other elected directors. The election to MPAAT's 21-member Board of Directors is for a term of three years, with opportunity for reelection.

Directors receive no salary.

Under the terms prescribed by the District Court, candidates for Board positions must:

- have a demonstrated history of activities directed at, or expertise related to, reducing the human and economic consequences of tobacco use
- have had no affiliation with the tobacco industry or related trade associations within the last ten years

Additionally, one of these two candidates must be employed by, or represent a non-profit organization which has as a substantial part of its purpose to ameliorate the effects of and reduce the incidence of particular diseases or health conditions associated with tobacco use.

Official Notices

A Nominating Committee of the Board of Directors will recommend candidates to the Board, which will select the directors. Interested candidates or organizations should submit a resume and brief statement of interest and qualifications to MPAAT, 590 Park Street, Suite 400, St. Paul, 55103. Applications may also be submitted by **fax**: to (651) 224-1700.

Applications should be received **no later than November 9, 2001**.

Questions should be directed to Deborah Jenkins at (651) 312-3904.

Minnesota Pollution Control Agency Policy and Planning Division

Request for Comments on Plans to Amend Parts of *Minnesota Rules*, Chapters 7001 and 7035 Related to Solid Waste Management

The Minnesota Pollution Control Agency (MPCA) requests comments on plans to amend rules governing solid waste management. The MPCA is planning to amend parts of *Minnesota Rules* Chapters 7001 and 7035 that govern management of solid waste transfer facilities, demolition debris land disposal facilities, and industrial solid waste land disposal facilities. The rules will also be modified to include requirements for utilization of solid waste. Revisions will not affect standards for mixed municipal solid waste land disposal facilities or financial assurance.

A draft rule is not available for review at this time. The information that follows describes the proposals for rule modification that the MPCA is considering during this rule revision and describes how you can provide input to the MPCA.

Solid Waste Transfer Facilities

The current process requires a solid waste permit for all transfer facilities. The proposal currently being discussed replaces the permitting process with a notification process for facilities that have design capacities less than 300,000 cubic yards per year. Facilities that have a design capacity of 300,000 cubic yards or greater will continue to be permitted. It is also the MPCA's intention to eliminate the permit-by-rule transfer facility category from the rule.

The rules will be modified so that a permit is only required at very large solid waste transfer facilities. For facilities smaller than 300,000 cubic yards per year, the rule will include detailed requirements for MPCA notification, standards for design and siting of the facility, and requirements for operation and management of the facility. The notification process will be designed to ensure that local planning and zoning requirements have been met and, for metro area counties, that the facility and its operation are consistent with the metropolitan policy plan for solid waste management. Standards and other operational requirements being considered are similar to those presently being required by the permits issued for transfer facilities.

Demolition Debris & Industrial Solid Waste Land Disposal Facilities

The rule requirements for demolition debris and industrial solid waste land disposal facilities do not reflect actual operating practices taking place in Minnesota and are ambiguous in terms of standards for facility design. To resolve these problems, the MPCA is proposing a rule revision that will re-define land disposal facilities using a classification system. The following criteria are being proposed for determining the class of land disposal facility:

- Type of waste being disposed of in the facility;
- Size of the facility (ultimate design and/or annual volume);
- Site location and characteristics (i.e. soil types, ground water depth, karst area); and
- Pollution prevention efforts taking place at the facility (are wastes likely to be disposed of in the facility that are inconsistent with its design).

Following is a description of the facility classification system under consideration:

Class I Land Disposal Facility - [Permit By Rule (PBR)]: This class of facility is reserved for disposal of demolition debris that meets certain qualifying criteria. Some of the changes being discussed would limit Class I land disposal facilities to those that meet the following terms and conditions:

1. Demolition of "on-site" structures only.
2. Pre-demolition inspection and removal of unacceptable materials (i.e. mercury containing devices, asbestos, etc.).
3. Maximum total capacity of 2000 cubic yards.

4. Demolition project must be completed within 3 months.
5. Disposal site must meet specific locational standards (not yet identified).
6. Class I disposal facilities prohibited if within __ miles (to be determined) of a permitted land disposal facility.
7. The MPCA must be notified in writing and provide written approval prior to demolition of the structure.

NOTE: Ash from practice burns may remain in place when all qualifications for Class I land disposal facilities are met.

Class II Land Disposal Facility - (defined as demolition debris land disposal facilities in the existing rule): This proposed class of facility will not be lined and will be used for disposal of wastes that have been determined to have a low risk of impacting the environment. The qualifying criteria described above will be used to determine if this type of facility is suitable. Only wastes that have been determined “acceptable” for disposal in a Class II land disposal facility will be allowed. “Acceptable” wastes will be defined in the rule and will include wastes commonly accepted at demolition debris landfills, including demolition debris and some types of new construction and industrial solid wastes. A procedure will be included in the rule for adding wastes to the “acceptable” waste list.

Ground water monitoring may be required depending on such conditions as proximity of drinking water wells, compliance history, soil type, size of facility, and other potential factors to be determined.

Class III Land Disposal Facility - (defined as industrial solid waste land disposal facility in the existing rule): This proposed class of facility is characterized by an engineered liner designed for disposal of most industrial solid wastes. In general, this means when wastes not on the “acceptable” list are disposed of in the facility, a liner will be required (see explanation of “acceptable” under Class II land disposal facility). The type of liner will be dependent on the level of ground water protection needed for the specific situation. Ground water monitoring will be required and leachate/gas collection and management will be required as needed.

Class IV Land Disposal Facility - (defined as mixed municipal solid waste (MSW) land disposal facility in the existing rule): This proposed class of facility will retain the existing standards for MSW land disposal facilities.

Class V Land Disposal Facility: This proposed class of facility will have an engineered liner designed specifically for the types of wastes to be disposed of in the facility. It will be use for disposal of industrial solid wastes that have characteristics requiring design standards different from Class III or IV land disposal facilities for adequate protection of the environment. Ground water monitoring will be required and leachate/gas collection and management will be required as needed.

Solid Waste Utilization

The present rule is ambiguous in regard to the utilization of solid wastes. Examples of utilization activities taking place include use of waste tires in road construction projects, use of wood ashes as agricultural liming materials, and use of coal ash in cement products. The proposal being discussed would establish regulatory boundaries for utilization of solid wastes including when MPCA involvement is unnecessary.

Rule Revision Timeline and Draft Rules

The planned completion date for the rule is November of 2002. A draft rule is not available for review at this time. The MPCA’s intent is to obtain input from stakeholders prior to drafting the rule.

Where to Get More Information

Web Site: A web site has been established where supplemental information will be posted as it becomes available:
<http://www.pca.state.mn.us/waste/swrules.html>

MPCA Rule Coordinators: The following individuals are coordinating the rule revision and can be contacted by mail, phone, or email for more information at any time:

Duane Duncanson, **phone:** (651) 296-7072, **email:** duane.duncanson@pca.state.mn.us

Patricia Burford, **phone:** (651) 296-8745, **email:** pat.burford@pca.state.mn.us

Public Comment:

Written Comments: Interested persons may submit comments or information for the rule revision in writing until notice is published in the *State Register* that the MPCA intends to adopt rules. Written comments can be mailed to:

Official Notices

Duane Duncanson
Minnesota Pollution Control Agency
Policy and Planning Division
520 Lafayette Road
St. Paul, MN 55155

Informational Meetings: The MPCA has set up a schedule to meet with stakeholders interested in discussing or providing input on the rule. The MPCA will host these meetings in Bemidji, St. Cloud, St. Paul, and Mankato. All meetings will have the same agenda. An overview of the ideas being considered for the rules will be presented at each meeting followed by time provided for discussion and input from those that attend.

Informational Meeting Schedule

Date	Meeting Time	Location
November 14	1:00 - 4:00	Bemidji Public Library 509 American Ave Bemidji, MN 56601 Phone: 218-751-3963
November 28	1:30 - 4:30	Minnesota Pollution Control Agency 520 Lafayette Road St. Paul, MN 55115 Phone: (651) 296-7162
November 29	1:30 - 4:30	Best Western Kelly Inn Hwy 23 & 4th Ave South St. Cloud, Minnesota 56302 (320) 253-0606
December 4	1:30 - 4:30	Blue Earth County Library 100 East Main St. Mankato, MN 56001 Phone: (507) 387-1856 Please see web site for available parking areas: http://www.beclibrary.org

Advisory Groups: Because of the complexity of certain parts of the rule, the MPCA is considering the formation of two advisory groups to get more specific and detailed input on the rule revisions. One group will focus on demolition debris/industrial solid waste land disposal facilities and the other on the utilization of solid wastes. The purpose of the advisory groups is to provide ideas and recommendations to the MPCA for rule consideration. Decisions on final rule content will be the responsibility of the MPCA.

If you are interested in being considered to serve on an advisory group, please contact the rule coordinators listed in this notice. If necessary, the MPCA may limit the number of members on the advisory groups; however, every effort will be made to ensure that all interests are represented by the groups' members.

Minnesota Department of Public Safety

Driver and Vehicle Services Division

Request for Comment on Planned Amendments to *Minnesota Rules*, Chapter 7404, Driver License Agents

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS) requests comment on possible amendments to existing administrative rules regulating Driver License Agents. The existing rules are contained in *Minnesota Rules*, Chapter 7404. Planned amendments would:

- Clarify the definition of "Existing office".
- Simplify the procedure for an agent appointment by a County Board or the Commissioner of Public Safety.
- Amend provisions relating to photo identification equipment to conform with statute.
- Tie an agent's discontinuance of appointment with a loss of other governmental regulatory functions (deputy registrar, DNR agent, etc.) performed within the same office.
- Consider other administrative penalties and variances

Persons Affected. The planned rule amendments affect or may be of interest to persons currently appointed or considering appointment as a driver license agent, county and city governments, state licensing agents, law enforcement, persons who apply for driver's licenses or state identification cards, the general public and persons concerned about public safety.

Statutory Authority. *Minnesota Statutes*, section 14.06; section 171.061, subdivision 6, and section 299A.01 provide authority for these rules.

Public Comment. Interested persons may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules.

DVS does not contemplate appointing an advisory committee to comment on the planned rules. Copies of this notice will be published in the *State Register*, posted on the DVS web site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to the chairs and ranking minority members of legislative policy committees, mailed to all state licensing agents, all DVS application and examining sites, to all deputy registrars with a request to post the notice, and to all representatives of the affected parties described above.

Rule Drafts. DVS has not yet prepared a draft of the planned rule amendments.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rule amendments should be addressed to:

Robert Hoemke, program analyst
Department of Public Safety
Driver and Vehicles Service Division, Suite 181
445 Minnesota Street
St. Paul, Minnesota 55101-5181
Phone: (651) 296-2045
Fax: (651) 282-2360
Email: Bob.Hoemke@state.mn.us

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety

Driver and Vehicle Services Division

REQUEST FOR COMMENT on Planned Amendments to *Minnesota Rules*, Chapter 7503, Incidents for License Withdrawal Relating to Driving While Impaired

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned amendments to existing administrative rules relating to the loss of driving privileges for driving incidents and offenses related to the use of alcohol or a controlled substance. The existing rules are contained in *Minnesota Rules*, Chapter 7503. Planned rules and amendments would:

- Add references to new codified sections in *Minnesota Statutes*, Chapter 169A and provide further interpretation of Chapter 169A needed to administer this law.
- Use of the defined term “chemical use assessment” throughout the rule chapter
- Amend the definition of “personal injury” to address the expanded categories of “bodily harm” adopted in *Minnesota Statutes*, section 609.21.
- Clarify what offenses cause license suspension.
- Consolidate the procedures for an administrative hearing, administrative review and administrative reconsideration of adverse licensing action and repeal rule parts on an informal hearing.
- Clarify license reinstatement requirements including the applicable fees owed at the time of fee payment, and the date and time reinstatement occurs.
- Incorporate long-standing agency policy and procedures that have been generally applied.
- Amend rule provisions to facilitate customer service and the electronic transmission of information.
- Eliminate the requirement for license surrender required on notices served by the commissioner, law enforcement, and the courts.
- Increase the special review notice and cancellation period from five to 10 years.
- Specify the administrative penalty period for felony level driving while impaired convictions that will be applied in all cases. *Minnesota Statutes* authorizes the commissioner to revoke the driver’s license for a period of not less than two years.
- Specify that a limited license will not be issued after commercial motor vehicle disqualification or to operate a small passenger vehicle for hire, or to juveniles with repeat violations of the not-a-drop or open bottle law.
- Address the sale of vehicles subject to the impound of plates, interpretations of law with respect to plate impoundment, and define “valid consideration.”
- Specify that additional variances will not be considered to rule provisions.
- Reduce vagueness, eliminate overlap with existing law, singularize applicability, simplify or eliminate redundant provisions, and improve readability and enforcement.
- Address recent court cases and appeals.

Persons Affected. The planned rule amendments affect or may be of interest to persons applying for or who possess a driver’s license or permit, the courts, law enforcement officials, persons in the insurance industry, commercial motor vehicle carriers and drivers, school bus drivers, activity bus, Head Start Bus or special transportation service vehicle operators, persons who prosecute and defend traffic violators, victims of persons who commit traffic violations, the general public, and persons concerned about public safety.

Statutory Authority. *Minnesota Statutes*, section 14.06; section 169A.75, section 169.795; section 169.798; section 171.04; section 171.165, subdivision 5; section 171.18; section 171.24; 171.3215, and section 299A.01.

Public Comment. Interested persons or groups may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules.

DVS does not contemplate appointing an advisory committee to comment on the planned rules. Copies of this notice will be published in the *State Register*, posted on the DVS WEB site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to the authors of legislation

amending various statutes, mailed to all state licensing agents, all DVS application and examination sites, and to all deputy registrars with a request to post the notice, and to representatives of the affected parties described above.

Rule Drafts. DVS has prepared a draft of the planned rule amendments that is available from the agency contact person.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rule amendments should be addressed to:

Jane Ann Nelson
Department of Public Safety, Driver and Vehicle Services Division, Suite 196
445 Minnesota Street
St. Paul, Minnesota 55101-5196
Phone: (651) 296-2608
Fax: (612) 296-3141
Email: *Jane.Nelson@state.mn.us*

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety

Driver and Vehicle Services Division

REQUEST FOR COMMENT on Planned Rules, *Minnesota Rules*, Chapter 7401, Undercover Motor Vehicle License Plates and Driver's Licenses

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned administrative rules relating to the issuance of undercover motor vehicle licenses and driver's licenses to law enforcement agencies. Planned rules:

- Describe the eligibility requirements for issuance of undercover license plates and driver's licenses; and
- Delineate the procedures for issuing, canceling, and revoking undercover license plates and driver's licenses;

Persons Affected. The planned rule affects or may be of interest to law enforcement personnel of federal, state and local governments.

Statutory Authority. *Minnesota Statutes*, section 14.06 and 168.012, subdivision 1, paragraph (c) provide general authority for DVS to adopt these rules.

Public Comment. Interested persons or groups may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules.

DVS does not contemplate appointing an advisory committee to comment on the planned rules. Copies of this notice will be published in the *State Register*, posted on the DVS WEB site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, and to representatives of the affected parties described above.

Rule Drafts. DVS has not yet prepared a draft of the planned rule.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rule should be addressed to:

Official Notices

Dave Anderson, Management Analyst
Minnesota Department of Public Safety
Driver and Vehicle Services Division
445 Minnesota Street, Suite 195
St. Paul, Minnesota 55101-5195
Phone: (651) 296-9897
Fax: (651) 296-3141
Email: dave.anderson@state.mn.us

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety

Driver and Vehicle Services Division

Request for Comment on Planned Amendments *Minnesota Rules*, Chapter 7403, Vehicle License Plates and Physically Disabled Parking Privileges

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned amendments to rules relating to parking privileges for the physically disabled and vehicle license plates. Planned amendments would:

- Delineate a disability parking certificate revocation, appeal and reinstatement process;
- Specify the replacement process for a lost, mutilated or destroyed disability parking certificate; and
- Adjust the fees charged under rule part 7403.1300 to cover the costs of manufacturing and issuing license plates and validation stickers.

Persons Affected. The planned rules affect or may be of interest to persons applying for or who possess a disability parking certificate, law enforcement officials, courts, persons who prosecute and defend traffic violators, physicians and chiropractors, the Minnesota Council on Disability, advocates for the disabled, all persons who own, license or register a passenger or commercial motor vehicle, the general public, and persons concerned about public safety.

Statutory Authority. *Minnesota Statutes*, section 14.06, section 16A.1285; section 168.12, section 168.123; section 168.125; section 168.29; section 169.345, section 169.346, and section 299A.01 provide authority for these rules.

Public Comment. Interested persons or groups may submit comment or information on the subject of the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules.

DVS does not contemplate appointing an advisory committee to comment on the planned rules, however draft provisions will be reviewed and discussed with representatives of the Minnesota Council on Disability. Copies of this notice will be published in the *State Register*; posted on the DVS WEB site; mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity; sent to the Office of the Governor; sent to the chairs and ranking minority members of legislative policy committees; mailed to all state licensing agents, all DVS application and examination sites, and to all deputy registrars with the request to post the notice; and to representatives of the affected parties described above.

Rules Draft. DVS has not prepared a draft of the planned rules yet at this time. A copy of drafts when they become available may be obtained from the agency contact person.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rules should be addressed to:

David Horton, analyst
Minnesota Department of Public Safety
Driver and Vehicle Services Division, Suite 160
445 Minnesota Street
St. Paul, Minnesota 55101-5160
Phone: (651) 296-1532
Fax: (651) 296-1673
Email: *David.Horton@state.mn.us*

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when the proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety Driver and Vehicle Services Division

REQUEST FOR COMMENT on Planned Changes to *Minnesota Rules*, Chapter 7411 Governing Driver Education Programs, Driver Improvement Clinics and Accident Prevention Courses

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on possible amendments to existing rules, repeal of rules or new rules governing driver education programs, driver improvement clinics, and accident prevention courses.

DVS is considering possible rules to:

- Address changes in the law governing this subject area, specifically *Minnesota Statutes*, section 14.388; section 65B.28; section 169.26, subdivision 3; section 169.446; section 169.89; sections 169.971 to 169.973; section 169.974; section 171.02; section 171.05; section 171.20; and sections 171.33 to 171.41.
- Address potential changes to existing rules due to requirements in applicable federal laws or federal rules;
- Incorporate unpromulgated agency policy and procedures of general applicability;
- Specify whether the rules are subject to variance and the procedures and criteria for variance;
- Improve customer service, e-commerce and the electronic exchange of information; and
- Eliminate vagueness, overlap with existing law, redundancy, to singularize applicability and improve readability and enforcement.

At this time, specific issues DVS anticipates addressing in driver education, parts 7411.0100 to 7411.1300 are:

- Courses curriculum requirements for motorized bicycles;
- Home school instruction;
- The use and definition of driver education simulation;
- Classroom, laboratory and range driving hours;
- Instructor qualifications and disqualification;
- Teleconferenced and on-line classroom instruction;
- An increase of surety bond;
- Student contract refunds; and
- Annual vehicle inspections for older vehicles in lieu of replacement.

Official Notices

DVS anticipates addressing possible repeal of Driver Improvement Clinics rules, parts 7411.5100 to 7411.5700.

Specific issues DVS anticipates addressing in Accident Prevention Courses, parts 7411.7100 - 7411.7700 are:

- Revision to allow on-line and teleconferenced instruction;
- Specify whether provisions are subject to variance and the procedures and criteria for variance; and
- Expansion of the hours of instruction allowed in a twenty-four hour period.

Persons Affected. The planned rule amendments affect or may be of interest to: commercial driving schools, public and private or parochial driver education programs, driver educators, representatives of the Association of Professional Driving Instructors of Minnesota, Minnesota Driver and Traffic Safety Education Association, Minnesota Highway Safety Center, Minnesota Safety Council, the Driving School Association of the Americas, Mothers Against Drunk Drivers, Minnesota Association of Christian Home Educators, American Association of Retired Persons, school superintendents, community education administrators, courts, law enforcement personnel, insurance agencies, legislators, home school families, parents and students, and the general public.

Statutory Authority. *Minnesota Statutes*, section 14.06; section 14.388; section 65B.28; section 169.26, subdivision 3; section 169.444; section 169.446; section 169.89, subdivision 5; section 169.971-.973; section 169.974; section 171.02; section 171.05, subdivision 2; section 171.20, subdivision 3; sections 171.33 to 171.41; and section 299A.01 provide DVS with authority in this subject.

Advisory Committee. DVS contemplates forming one or more advisory committees of representatives of interested and potentially affected persons. Separate committees will meet to review and discuss issues and draft rules on: 1) driver education schools and programs, and 2) accident prevention courses. Persons interested in serving on an advisory committee may contact Debra Carlson at the phone number listed below.

Public Comment. Interested persons or groups may submit comment or information on the subject of the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules. Copies of this notice will be published in the *State Register*, posted on the DVS web site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to the chairs and ranking minority members of the legislature transportation and judiciary committees, mailed to all state licensing agents, all DVS application and examination sites, and to all deputy registers with a request to post the notice, and to representatives of the affected organizations described above.

Rule Drafts. Copies of draft rule changes will be made available during committee meetings.

Agency Contact Person. Written or oral comments, questions, and requests for more information on the planned rule amendments, or to receive electronically, copies of rule drafts when they have been prepared, should be addressed to:

Debra Carlson
Department of Public Safety
Driver and Vehicle Services Division, Suite 176
445 Minnesota Street
St. Paul, Minnesota 55101-5176
Phone: (651) 296-9502
Fax: (651) 296-5316
Email: Debra.Carlson@state.mn.us

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Department of Public Safety Driver and Vehicle Services Division

REQUEST FOR COMMENTS on Planned Rules Governing the Licensure of Motor Vehicle Dealers, *Minnesota Rules*, Chapter 7400

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS) requests comments on planned amendments to the rules and possible new rule parts governing the licensure, qualification, examination, revocation and other aspects associated with the licensure of motor vehicle dealers in Minnesota. The Motor Vehicle Dealer rules are contained in *Minnesota Rules*, Chapter 7400. The proposed amendments and possible new rules will cover all rule parts with the purpose:

- To enhance electronic commerce;
- Streamline processes;
- Incorporate new legislative changes;
- Improve customer service in licensing motor vehicle dealers;
- Allow for variances to the rule except for those requirements stated in statute and any rule pertaining to administrative sanctions; and
- Provide for administrative penalties

Persons Affected. DVS expects the anticipated rule amendments to affect licensed motor vehicle dealers in Minnesota, public and private deputy registrars, law enforcement, and persons who purchase motor vehicles, seek registration and title to a motor vehicle, and the motoring public in general.

Statutory Authority. *Minnesota Statutes*, sections 14.06; 168.27; 168.54; 168A.24; and 299A.01 provide DVS with the authority to promulgate rules regulating the licensure and regulation of persons and corporations engaged in the sale of motor vehicles.

Public Comment: Interested persons or groups may submit comments or information on the planned rule amendments in writing until the notice to propose is published in the *State Register*. DVS plans to establish an advisory committee of dealers and other interested parties to discuss policy and procedural issues and comment on drafts of the planned rules.

Rules Draft. DVS has not yet prepared a draft of the planned rule amendments.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when they have been prepared, and requests for more information on the process and the planned amendments to the rule, are to be directed to:

Carl Peaslee, Dealer Program Supervisor
Minnesota Department of Public Safety
Driver and Vehicle Services Division
445 Minnesota Street, Suite 186
St. Paul, MN 55101-5186
Phone: (651) 296-2832
Fax: (651) 297-1480
Email: carl.peaslee@state.mn.us

Alternative Formats. Upon request, this Request for Comments will be made available in alternative formats such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. DVS is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety

Driver and Vehicle Services Division

Request for Comments on Planned Rules Governing the Registration and Taxation of Commercial Vehicles, *Minnesota Rules*, Chapter 7405

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS) requests comments on planned rules governing commercial vehicle registration and taxation. The planned rules are designed to:

- enhance electronic commerce, streamline processes; and improve customer service;
- address legislative changes;
- incorporate the requirements in the International Registration Plan and International Fuel Tax Agreement including clarification of requirements where Minnesota discretion is provided;
- clarify reporting requirements and due dates; and
- address variances to adopted rules.

Persons Affected: DVS expects the anticipated rules to affect all persons and companies who own, operate or represent commercial vehicles in Minnesota, law enforcement, deputy registrars, record keeping services, the public, and persons concerned about public safety.

Statutory Authority. *Minnesota Statutes*, sections 14.06, 168.221, 168.33, 168.845, 168A.24, 296A.27, 296A.28 and 299A.01 provide the commissioner of public safety with authority to promulgate rules pertaining to the administration and regulation of commercial vehicle registration, fees and fuel taxes.

Public Comment: Interested persons or groups may submit comments or information on the planned rule amendments orally or in writing until the notice to adopt rules is published. DVS plans to establish an advisory committee of representatives of interested or affected parties to discuss and comment on the planned rules.

Rules Draft: DVS has not yet prepared a draft of the planned rules. Drafts, when they become available, may be obtained from the agency contact person.

Agency Contact Person: Comments, questions, and requests to receive a draft of the rules when they have been prepared, and requests for more information on the process and the planned rules, are to be directed to:

Sue Alvarez, Management Analyst
Minnesota Department of Public Safety
Driver and Vehicle Services Division
1110 Centre Pointe Curve, Suite 425
Mendota Heights, Minnesota 55120
Phone: (651) 405-6133
Fax: (651) 405-6136
Email: sue.alvarez@state.mn.us

Alternative Formats: Upon request, this Request for Comments will be made available in alternative formats such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The Department is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Department of Public Safety

Driver and Vehicle Services Division

REQUEST FOR COMMENTS on Planned Rules Governing the Registration and Titling of Motor Vehicles, *Minnesota Rules*, Chapter 7412

Subject of Rules. The Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comments on planned rules governing the registration and titling of motor vehicles. The proposed rules cover all aspects of motor vehicle registration and titling and provide for electronic commerce, streamlining of processes, incorporate new legislative changes, improve customer service and will address whether rule provisions will be subject to variance.

Persons Affected. DVS expects the anticipated rule to affect all persons who own and operate motor vehicles, motor vehicle dealers, deputy registrars, local governments, law enforcement, and persons with a concern about public safety.

Statutory Authority. *Minnesota Statutes*, sections 14.06, 168.64, 168.845, and 168A.24 provide DVS with the authority to promulgate rules pertaining to the registration and titling of motor vehicles.

Public Comment. Interested persons or groups may submit comments or information on the planned rule in writing. The Department of Public Safety plans to establish an advisory committee to comment on the planned rule amendments.

Rules Draft. DVS has not yet prepared a draft of the planned rule amendments.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when they have been prepared, and requests for more information on the process and the planned amendments to the rule, are to be directed to: Larry Ollila, Title and registration program supervisor, Minnesota Department of Public Safety, Driver and Vehicle Services Division, 445 Minnesota Street, Suite 185, St. Paul, MN 55101. **Phone:** (651) 296-0329; **fax:** (651) 282-6061; **email:** larry.ollila@state.mn.us

Alternative Formats. Upon request, this Request for Comments will be made available in alternative formats such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The Department is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety

Driver and Vehicle Services Division

REQUEST FOR COMMENT on Planned Amendments to Permanent Rules Relating to Bicycle Registration, *Minnesota Rules*, Chapter 7407

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned amendments to existing administrative rules relating to the registration of bicycles. The existing rules are contained in *Minnesota Rules*, Chapter 7407.

DVS is considering amendments to:

- Facilitate customer service and e-commerce; and
- Address whether the rules are subject to variance

Among the amendments to Chapter 7407 at this time, DVS is considering amendments to:

- Part 7407.0100 DEFINITIONS. Subpart 2. **Central office.** A planned amendment would delete “the Transportation Building” as the central location of DVS.

Official Notices

- Part 7407.0400 CONTENTS OF APPLICATION. Planned amendment to change the contents of the application to information required by the registrar in a format provided by the registrar.
- Part 7407.0700 ACCEPTANCE OF APPLICATION. Amendments are planned to include e-commerce and allow mail applications for license, duplicate license or duplicate registration card.

Persons Affected. The planned rule amendments affect or may be of interest to persons who own and operate bicycles, local governments, persons and businesses who sell new and used bicycles, and persons who are concerned about public safety.

Statutory Authority. *Minnesota Statutes*, sections 14.06, 168C.12 and 299A.01 provide authority for these rules.

Public Comment. Interested persons or groups may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules.

DVS does not contemplate appointing an advisory committee to comment on the planned rules. Copies of this notice will be published in the *State Register*, posted on the DVS WEB site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to legislative committee chairs, mailed to all state licensing agents, DVS application and examination sites, and deputy registrars with a request to post the notice, and to representatives of the affected parties described above.

Rule Drafts. DVS has not yet prepared a draft of the planned rule amendments.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rule amendments or copies of the draft rules when they become available should be addressed to:

Mary Giesecking, Office Support Supervisor, Title and Registration Unit
Minnesota Department of Public Safety
Driver and Vehicle Services Division
445 Minnesota Street, Suite 185
St. Paul, Minnesota 55101-5196
Phone: (651) 296-0239
Fax: (612) 282-6061
Email: Mary.Giesecking@state.mn.us

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety

Driver and Vehicle Services Division

REQUEST FOR COMMENT on Planned Permanent Rules Relating to Driver's Tests and Test Waivers, *Minnesota Rules*, parts 7410.4000 to 7410.4500

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned rules relating to the tests administered to applicants for a Minnesota driver's license or permit and waivers of those test requirements.

The planned rules will specify the knowledge and road or skills tests required, that identification is required at the time of test administration, additional examination, reexamination or administration criteria, when the commissioner will waive tests, and variance criteria.

Persons Affected. The planned rule amendments affect or may be of interest to persons applying for or who possess a driver's license or permit, law enforcement officials, commercial motor vehicle carriers and drivers, the general public and persons concerned about public safety.

Statutory Authority. *Minnesota Statutes*, section 14.05, subdivision 4; 14.06, section 171.13, section 171.15, and section 299A.01, subdivision 7.

Public Comment. Interested persons or groups may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that the department intends to adopt or withdraw proposed rules.

DVS does not contemplate appointing an advisory committee to comment on the planned rules. Copies of this notice will be published in the *State Register*, posted on the DVS WEB site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to the chairs of and minority leaders of legislative policy committees, mailed to all state licensing agents, all DVS application and examination sites, and to all deputy registrars with a request to post the notice, and to the motor carrier, commercial driver and driver's education associations.

Rule Drafts. DVS has not yet prepared a draft of the planned rules. When drafts are available they may be obtained from the agency contact person.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rule amendments should be addressed to:

Jane Ann Nelson
Department of Public Safety, Driver and Vehicle Services Division, Suite 196
445 Minnesota Street
St. Paul, Minnesota 55101-5196
Phone: (651) 296-2608
Fax: (612) 296-3141
Email: *Jane.Nelson@state.mn.us*

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety Driver and Vehicle Services Division

REQUEST FOR COMMENT on Planned Amendments to Permanent Rules Relating to Deputy Registrars, *Minnesota Rules*, Chapter 7406

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned amendments to existing administrative rules governing the appointment, operations, and revocation of deputy registrars. The existing rules are contained in *Minnesota Rules*, Chapter 7406.

DVS is considering amendments to:

- Enhance electronic commerce;
- Improve customer service in the registration and titling of motor vehicles;
- Streamline processes;
- Incorporate new legislative changes; and
- Address whether the rules are subject to variance.

At this time DVS does not anticipate opening the following rule parts for amendment, except to indicate whether the rules are subject to variance.

- 7406.0330 MOVE OF AN EXISTING OFFICE LOCATION

Official Notices

- 7406.0400 DEPUTY REGISTRAR OFFICE REQUIREMENTS
- 7406.0450 REPORTING AND DEPOSITING PRACTICES, Subparts 1, 2a, 4, 5, 6, 7, 8, and 9
- 7406.0500 GENERAL OPERATING RULES FOR DEPUTY REGISTRARS
- 7406.0700 EXEMPTION

Persons Affected. The planned rule amendments affect or may be of interest to all public and privately operated deputy registrars through out the state, law enforcement, licensing agents, the Attorney General's office, licensed motor vehicle dealers and persons who own, title and register motor vehicles.

Statutory Authority. *Minnesota Statutes*, sections 14.06, 168.33 and 299A.01 provides authority to regulate deputy registrars and the authority to adopt rules.

Public Comment. Interested persons or groups may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules.

DVS plans to establish an advisory committee of deputy registrars and other parties affected by these planned rules to comment on the planned rules. Copies of this notice will be published in the *State Register*, posted on the DVS WEB site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to the authors of legislation affecting deputy registrars, mailed to all state licensing agents, all DVS application and examination sites, and to all deputy registrars with a request to post the notice, and to representatives of the affected parties described above.

Rule Drafts. DVS has not yet prepared a draft of the planned rule amendments.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rule amendments should be addressed to:

Donna Berger
Department of Public Safety, Driver and Vehicle Services Division, Suite 196
445 Minnesota Street
St. Paul, Minnesota 55101-5185
Phone: (651) 282-6060
Fax: (651) 296-3141
Email: Donna.Berger@state.mn.us

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety Driver and Vehicle Services Division

REQUEST FOR COMMENT on Planned Amendments to Permanent Rules Relating to the Loss of Driving Privileges, *Minnesota Rules*, chapter 7409

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned amendments to existing administrative rules relating to the loss of driving privileges for driving incidents and offenses not related to the use of alcohol or a controlled substance. The existing rules are contained in *Minnesota Rules*, Chapter 7409.

DVS is considering amendments to:

- Address changes to *Minnesota Statutes*;

- Incorporate changes to federal laws and regulations governing commercial licenses;
- Incorporate agency policy and procedures being generally applied;
- Address whether the rules are subject to variance;
- Facilitate customer service and e-commerce; and
- Reduce vagueness, eliminate redundant provisions and improve readability and enforcement reference.

Among the amendments to Chapter 7409 at this time, DVS is considering amendments to:

- Part 7409.0100 DEFINITIONS. Subpart 1b. Certificate of insurance. A planned amendment would delete a letter as a sole indication of a certificate of insurance and would change the reparation plan period from six months to one year for conformance with the current one year motor vehicle registration period.
Subp. 2. Commercial motor vehicle. Amendment to bring the definition of “farm truck” into conformity with the term as defined in *Minnesota Statutes*, Chapter 171.
Subp. 7. License. Amendments to defined term in rule to make the term consistent with statutorily use and definition.
Subp. 7b. Personal injury. Update the definition in rule for conformity with the definition of an “incapacitation injury” as described in the National Safety Council’s *Manual on the Classification of Motor Vehicle Traffic Accidents*.
- Part 7409.0150 OFFENSE PERIOD is planned for amendment to incorporate into rule the longstanding practice of DVS to determine the number of violations within a period of time - when the period for the accumulation of offenses begins and ends - as the date when each driving offense occurred.
- Part 7409.0200 COMMERCIAL DRIVER’S LICENSE DISQUALIFICATION. Amendments are planned to bring this rule part into compliance with the disqualification periods described in *Minnesota Statutes*, section 171.165 and disqualification periods and criteria specified in U.S. Code, title 49, section 31310 and *U.S. Code of Federal Regulations*, title 49, section 383.51.
- Part 7409.0300 NOTICE OF LICENSE ACTION. Elimination of the blanket requirement to surrender all license certificates to the commissioner.
- Part 7409.0400 CLASS D LICENSE ELIGIBILITY DURING COMMERCIAL LICENSE DISQUALIFICATION PERIOD. Subparts 1 and 2 are being repealed because state law no longer requires license surrender. Subpart 5 is proposed for amendment to reference to testing and test waiver provisions in proposed parts 7410.4000 and 7410.4500.
- Part 7409.1000 VEHICULAR HOMICIDE OR INJURY; MANSLAUGHTER. Amendments are planned to the specified revocation periods to correlate with the imprisonment periods specified in *Minnesota Statutes*, sections 609.20, 609.21 and guidelines developed by DVS to implement those laws.
- Part 7409.1100 REVOCATION; FLEEING FROM PEACE OFFICER IN A MOTOR VEHICLE. Planned amendments specify what the license revocation periods are for initial and subsequent convictions under *Minnesota Statutes*, section 609.487, subdivisions 3 and 4.
- Part 7409.1200 FELONY WITH MOTOR VEHICLE. Planned amendments to this rule part increase the revocation period for a conviction of a felony with a motor vehicle, except in cases of felony manslaughter with a motor vehicle, criminal vehicular homicide and injury, or fleeing a peace officer in a motor vehicle.
- Part 7409.1500 SINGLE OR MULTIPLE MISDEMEANOR, GROSS MISDEMEANOR OFFENSES. Planned amendments to part 7409.1500 place into rule the suspension and revocation periods for school bus-related misdemeanor and gross misdemeanor offenses that are given distinct attention in *Minnesota Statutes*, sections 169.443, 169.444 and 171.18.
- Part 7409.1600 INSURANCE-RELATED OFFENSES. Planned amendments clarify the revocation periods generally applied by DVS in all cases relating to failure to have insurance on a motor vehicle or when DVS is notified of a conviction or report for failure to produce proof of insurance under *Minnesota Statutes*, sections 169.791, 169.792 or 169.797.
- Part 7409.2000 CRIMINAL VEHICULAR HOMICIDE AND INJURY, MANSLAUGHTER; FLEEING A PEACE OFFICER. Planned amendments clarify the license suspension and revocation standards for fleeing a police officer in a motor vehicle. Conversion of the suspension period to a revocation upon receipt of a conviction is addressed.
- Part 7409.2100 VIOLATION RESULTING IN FATALITY OR PERSONAL INJURY. The proposed amendments implement changes made to *Minnesota Statutes*, section 171.18, subdivision 1.
- Part 7409.2200 HABITUAL VIOLATORS. Planned amendments to subpart 2 clarify when suspensions will occur with respect to multiple traffic violations. Amendments are planned to subpart 4 to address issues related to suspension of a license for driving after withdrawal.

Official Notices

- Part 7409.2250 SUSPENSION FOR SCHOOL BUS VIOLATIONS. Suspension periods are specified for repeat violations of laws pertaining to school busses.
- Part 7409.2400 FAILURE TO MAINTAIN INSURANCE. Technical amendments are proposed to subpart 1. No substantial change in the effect or meaning of this subpart is proposed.
- Part 7409.3000 MULTIPLE LICENSE WITHDRAWALS. Amendment to subpart 1 is planned to clarify that a suspension period will run concurrently with existing license withdrawals under chapter 7409 and chapter 7503 from the effective date of the suspension.
- Part 7409.3600 LIMITED LICENSE. Planned amendments to this rule part delete the license surrender requirement, and reference to proposed rules in 7410.4000 and 7410.4500 that specify the conditions a person must meet to obtain a limited license. Further provisions indicate when a class D limited license will not be issued. These include actions that were so serious as to warrant license suspension, and issuance for employment purposes when the employment involves driving a child care bus, Head Start bus, activity bus, or special transportation service vehicle. Limited licensure following commercial license disqualification is also addressed.
- Part 7409.4100 REINSTATEMENT AFTER REVOCATION; GENERALLY. Planned amendments eliminate the requirement to surrender the driver's license and clarify that the reinstatement fee in *Minnesota Statutes*, section 171.29 is required for reinstatement, including reinstatement after moving to another state or province. Reference to planned rules relating to test waivers is made so the test requirements for reinstatement and situations where the requirements may be waived, are known.
- Part 7409.4200 REINSTATEMENT AFTER SUSPENSION; GENERALLY. Planned amendments to this part reference the reinstatement fees due under *Minnesota Statutes*, section 171.20 and the requirement for payment when the individual moves to another state or province and seeks licensure there. The requirement for license surrender is planned for deletion for consistency with repealed law.
- 7409.4250 REINSTATEMENT OF NONRESIDENT DRIVING PRIVILEGES. DVS plans a new rule part to address the issue of reinstatement of the driving privileges of an out-of-state resident whose driving privileges are withdrawn in Minnesota.
- 7409.4300 REINSTATEMENT AFTER CANCELLATION. Planned amendments to this rule part delete the requirement for license surrender, and clarify the criteria for reinstatement after cancellation.
- 7409.4350 REINSTATEMENT EFFECTIVE. DVS plans to develop a rule part to clarify when reinstatement after the loss of driving privileges is effective.
- 7409.4500 PRELIMINARY HEARING. Planned amendments to this part clarify when a preliminary hearing is required and provide for an exception for total abstinence restrictions and violations of conditions or limitations of a limited license.
- 7409.4600 ADMINISTRATIVE HEARING OR REVIEW. Planned amendments to this part allow for the consolidation of various rule provisions pertaining to administrative reviews or hearings providing for a single, uniform set of procedures and criteria.
- 7409.4700 WAIVER AND VARIANCES. The proposed rule part distinguishes the procedures and criteria for requesting a waiver from license suspension action from those procedures and criteria for a variance request. Planned subpart 3 would exempt Chapter 7409 from the mandatory variance provisions in *Minnesota Statutes*, section 14.055.
- REPEALER. DVS plans to repeal:
 - Part 7409.0400, subpart 1 pertaining to driver's license surrender;
 - Part 7409.0500 ADMINISTRATIVE REVIEW;
 - Part 7409.2400, subpart 3 relating to suspension time credited to the revocation period in situations of failure to maintain insurance;
 - Part 7409.3000, subpart 2, concurrent withdrawals, subpart 3, vehicular liability violations, and subpart 4, suspension periods;
 - Part 7409.3100, DRIVING INCIDENTS OUT OF STATE; and
 - Part 7409.3400 DRIVER'S LICENSE SURRENDER.

Persons Affected. The planned rule amendments affect or may be of interest to persons applying for or who possess a driver's license or permit, the courts, law enforcement officials, persons in the insurance industry, commercial motor vehicle carriers and drivers, school bus drivers, persons who prosecute and defend traffic violators, victims of persons who commit traffic violations, the general public, and persons concerned about public safety.

Statutory Authority. *Minnesota Statutes*, section 14.06; section 169.443; section 169.444; section 169.792, subdivision 7; section 169.795; section 169.798; section 171.04; section 171.165, subdivision 5; section 171.18; section 171.24; 171.3215, and section 299A.01.

Public Comment. Interested persons or groups may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw proposed rules.

DVS does not contemplate appointing an advisory committee to comment on the planned rules. Copies of this notice will be published in the *State Register*, posted on the DVS WEB site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to the authors of legislation amending various statutes, mailed to all state licensing agents, all DVS application and examination sites, and to all deputy registrars with a request to post the notice, and to representatives of the affected parties described above.

Rule Drafts. DVS has prepared a draft of the planned rule amendments that is available from the agency contact person.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rule amendments should be addressed to:

Jane Ann Nelson
Department of Public Safety, Driver and Vehicle Services Division, Suite 196
445 Minnesota Street
St. Paul, Minnesota 55101-5196
Phone: (651) 296-2608
Fax: (612) 296-3141
Email: *Jane.Nelson@state.mn.us*

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety Driver and Vehicle Services Division

Request for Comment on Planned Amendments to *Minnesota Rules*, Parts 7414.0400, 7414.1400, 7414.1410, 7414.1420 and 7414.1600 Relating to Qualifications for School Bus Drivers

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned amendments to existing administrative rules relating to the regulation of school bus drivers. The existing rules are contained in *Minnesota Rules*, Chapter 7414. Planned amendments would:

- Modify part 7414.0400 for consistency with *Minnesota Statutes*, section 171.3215 so that a school bus endorsement is denied to a person charged with a felony unless a waiver is granted under section 171.3215;
- Increase the physical fee from \$2 to \$4 for endorsement renewal in part 7414.1600 for consistency with the fee specified in law;
- Specify the time allowed for a qualifying physical in part 7414.1600 from three years to one year after expiration for consistency with *Minnesota Statutes*, section 171.321;
- Eliminate the need for the applicant to provide a copy of his or her driving record when making application for a medical waiver under parts 7414.1400, 7414.1410 and 7414.1420; and
- Address whether or not the adopted rules are subject to further variance.

Official Notices

Persons Affected. The planned rule amendments affect or may be of interest to persons who are applying for a school bus endorsement, current school bus drivers, law enforcement officials, school bus contractors, school districts, and persons concerned about public safety.

Statutory Authority. *Minnesota Statutes*, sections 14.06, 171.321, 171.3215, and 299A.01 provide authority for these rules.

Public Comment. Interested persons or groups may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that the department plans to adopt proposed rules. This notice will be published in the *State Register*, posted on the DVS web site, mailed to all parties registered with the department for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to the chairs and ranking minority members of legislative policy committees, mailed to all state licensing agents, all DVS application and examination sites, and to all deputy registrars with a request to post the notice, and to representatives of the affected parties described above. DVS does not intend to form an advisory committee.

Rule Drafts. DVS has not prepared a draft of the planned rule amendments. When draft become available, a copy may be obtained from the agency contact person.

Agency Contact Person. Written or oral comment, questions, and requests for more information of a copy of drafts or the rule amendments when proposed should be addressed to:

Karen MacArthur, supervisor CDL examining and issuing
Minnesota Department of Public Safety
Driver and Vehicle Services, Suite 180
445 Minnesota Street
St. Paul, Minnesota 55101-5180
Phone: (651) 297-3067
Fax: (651) 297-4447
Email: Karen.MacArthur@state.mn.us

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

Minnesota Department of Public Safety Driver and Vehicle Services Division

REQUEST FOR COMMENT on Planned Permanent Rules Relating to Third Parties Who Administer Driver's Tests, *Minnesota Rules*, Chapter 7410

Subject of Rules. The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS), requests comment on planned rules relating to entities, other than state examiners, who are authorized by DVS to administer driver's tests.

The planned rules will specify the approval requirements to be a third party tester, the duties of testers, address issues such as random inspections or audits, sample tests, examiner qualifications, test passing proof, termination of tester authorization, administrative penalties, records and record retention, notification requirements, skills test administration and variances.

Persons Affected. The planned rule amendments affect or may be of interest to persons applying for or who possess a driver's license or permit, law enforcement officials, commercial motor vehicle carriers and drivers, third party testing entities, public and private examiners, the general public, and persons concerned about public safety.

Statutory Authority. *Minnesota Statutes*, section 14.05, subdivision 4; section 14.06, section 171.13, section 171.15, and section 299A.01, subdivision 7 provide authority for these rules. The use of third party testers to administer commercial driver's license skills tests is authorized under United States *Code of Federal Regulations*, Chapter 49, part 383.75.

Public Comment. Interested persons or groups may submit comment or information on the planned rules in writing or orally until further notice is published in the *State Register* that the department intends to adopt or withdraw proposed rules.

DVS may use an advisory committee to comment on planned rules. Copies of this notice will be published in the *State Register*, posted on the DVS WEB site, mailed to all parties registered with the Minnesota Department of Public Safety for purposes of receiving notices about rule activity, sent to the Office of the Governor, sent to the chairs of and minority leaders of legislative policy committees, mailed to all state licensing agents, all DVS application and examination sites, and to all deputy registrars with a request to post the notice, to law enforcement, and to motor carrier and commercial driver associations.

Rule Drafts. DVS has not prepared a draft of the planned rule amendments.

Agency Contact Person. Written or oral comment, questions, and requests for more information on the planned rule amendments should be addressed to:

James Connolly, Manager driver examining and issuing
Minnesota Department of Public Safety
Driver and Vehicle Services Division, Suite 175
445 Minnesota Street
St. Paul, Minnesota 55101-5196
Phone: (651) 296-3323
Fax: (651) 296-5316
Email: *Jim.Connolly@state.mn.us*

Alternative Format. This Request for Comment can be made available in an alternative format such as large print, Braille, or cassette tape. To make such a request, contact the agency contact person listed above.

NOTE: Comment received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt the rule is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 4 October 2001

Charles R. Weaver, Commissioner
Minnesota Department of Public Safety

State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Health

Facility and Provider Compliance Division Innovations in Quality Demonstration Grant Program

Notice of Grant Opportunity for Direct Service or Housing to the Elderly

Purpose

The Minnesota Department of Health (MDH), in cooperation with the Minnesota Department of Human Services, is seeking application from providers who provide direct service or housing to the elderly within the State of Minnesota. The purpose of these grants is to fund demonstrations that create new means and models for serving the elderly or demonstrate creativity in service provision through the scope of the program or service. Grants may only be made for projects that show innovations and measurable improvement in resident care, quality of life, use of technology, or customer satisfaction.

Appropriation Available

\$500,000 is available to fund applications in this grant cycle. A single grant may not exceed \$100,000, as specified in statute.

State Grants & Loans

Eligibility to Submit a Proposal

Eligible applicants for the grant program include providers who provide direct service or housing to the elderly, such as nursing homes, registered housing with services establishments, home care, adult foster care, adult day care, hospice, and boarding care homes.

Criteria for Review

Factors upon which applications will be evaluated are summarized as follows:

- 1) improvement in direct care to residents;
- 2) increase in efficiency through the use of technology;
- 3) increase in quality of care through the use of technology;
- 4) increase in the access and delivery of service;
- 5) enhancement of nursing staff training;
- 6) the effectiveness of the project as a demonstration; and,
- 7) the immediate transferability of the project to scale.

In determining which organizations will receive grants, the Commissioner of Health and the Commissioner of Human Services will also consider the following factors: (1) the applicant's description of the problem, description of the project, and the likelihood of a successful outcome from the project; and (2) the extent of community support for the organization and proposed project. The commissioners may also take into account other relevant factors.

Project Start and Completion Date

The Department expects that successful applicants will be able to begin their grant projects by March 1, 2001. All work on a project must be completed by December 1, 2002.

Questions Concerning the RFP and for a Copy of the Application Guidelines

Prospective applicants who have questions, and/or would like a copy of the Application Guidelines may contact:

Kay Markling
Facility and Provider Compliance Division
Minnesota Department of Health
P.O. Box 64975
St. Paul, Minnesota 55164-0975
Phone: (651) 215-8726
Fax: (651) 215-8710

Applications are also available on the Facility and Provider Compliance Division web site at:

<http://www.health.state.mn.us/divs/fpc/grantopps.html>

Procedures for Submitting a Proposal

Six written copies of the completed application must be received no later than 4:00 p.m. on Wednesday, January 9, 2002 by:

Kay Markling

U.S. Mail Service Address

Facility and Provider Compliance Division
P.O. Box 64900
St. Paul, Minnesota 55164-0900

Courier Address

Facility and Provider Compliance Division
85 East Seventh Place, Suite 300
St. Paul, Minnesota 55101

No proposals submitted by facsimile machine will be accepted.

State Contracts

Informal Solicitations

Effective December 1, 2001, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration's, Materials Management Division's web page (www.mmd.admin.state.mn.us).

Formal Requests for Proposals

Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

Department of Administration Real Estate Management Division

Antenna Site Applications Accepted

NOTICE IS HEREBY GIVEN that the Department of Administration, Real Estate Management Division, on behalf of the Department of Transportation, is now accepting applications for licenses for private use of antenna sites on certain Mn/DOT-owned radio communications towers statewide.

Requests to use available space on a specific tower(s) will be accepted on a first come first served basis. Fees for using space on Mn/DOT towers will be in accordance with the published rates contained in the information packet provided by the Department of Administration. To obtain an information packet containing a complete list of available towers, a sample License Agreement, and a "Use Request Form" (URF) contact:

Minnesota Department of Administration
Real Estate Management Division
309 Administration Building
50 Sherburne Avenue
St. Paul, MN 55155
Phone: (651) 296-6674
Fax: (651) 215-6245

Department of Administration Real Estate Management Division

Notice of Updated Terms and Conditions for Sale of State Property

NOTICE IS HEREBY GIVEN that the Department of Administration is offering for sale by sealed bid a 25-building campus with 245 acres located in and adjacent to Sauk Centre, Minnesota under updated terms and conditions.

For more information including bid terms and conditions, visit the **website:** www.mainserver.state.mn.us/rem, send an **email** to: wayne.waslaski@state.mn.us, or call Wayne at (651) 296-2278.

Bids are due **no later than 10:00 a.m., CST on Wednesday, November 21, 2001.**

Department of Corrections

Notice of Request for Proposals for Non-Compensated Services Faith Based Pre-Release Program at Minnesota Correctional Facility-Lino Lakes

The Minnesota Department of Corrections (DOC) is requesting proposals for providing non-compensated services for a faith based pre-release program to the Minnesota Correctional Facility - Lino Lakes. The DOC is seeking a vendor who, at substantially its own expense, will provide a faith based pre-release program with a community reintegration component. The DOC will provide housing, food, clothing, office equipment, program areas, office space, security, and other materials that are provided to the general population inmates confined at the Minnesota Correctional Facility - Lino Lakes. The vendor will provide all program personnel,

State Contracts

including clerical, instructional, counseling, and administrative personnel, and all instructional and consumable materials required for the program.

While the vendor may utilize either secular or sectarian based values in its program, any minimal funding provided by the DOC may be used for only those aspects of the program that are secular. No DOC funds may be used relative to the provision of any religious instruction or materials. The vendor in its proposal must describe any components of its program for which it seeks minimal funding from the DOC and how the expenditure of such funds would be solely related to secular services.

It is expected that this contract period will be for a period of seventeen months effective February 1, 2002.

Potential responder interested in submitting a proposal on this project should call, write, e-mail or fax for the full RFP which will be sent free of charge to interested vendors. Proposal must be submitted to the department contact listed below. Other department and state personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline. Proposals must be received by the contact person listed below **no later than 2:30 p.m., CST November 30, 2001.**

Jeff Shorba, Assistant Commissioner-Management Services
Department of Corrections
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108-5219
Phone: (651) 642-0566
Fax: (651) 632-5066
Email: jshorba@co.doc.state.mn.us

Department of Finance

Notice of Request for Proposals to Perform Arbitrage Rebate Calculations on State Revenue Bonds

The Department of Finance is seeking proposals from qualified firms and individuals to provide arbitrage rebate calculations for the purpose of filing five-year returns for five outstanding State of Minnesota revenue bonds. The revenue bonds were issued May 1995, for the acquisition, construction and equipping a heavy aircraft maintenance facility at the Duluth International Airport in Duluth, Minnesota to be leased to Northwest Airlines, Inc.

The deadline for receipt of proposals is 1:00 p.m., on November 30, 2001. The contract will be effective December 15, 2001 through June 30, 2006.

Details concerning submission requirements are included in the Request for Proposal. To obtain a copy of the Request for Proposal please contact:

Peter G. Sausen
Department of Finance
658 Cedar Street – 4th Floor
St. Paul, MN 55155
Phone: (651) 296-8372
Fax: (651) 296-8685

Minnesota Housing Finance Agency

Request for Proposal to Serve as Investment Banker

The Minnesota Housing Finance Agency (MHFA) expects to have available on October 29, 2001 a Request for Proposal (RFP) to serve as Investment Banker. The services to be provided by a qualified investment banking firm include, but are not limited to, the following: At the time of a bond sale, recommend optimum bond structure, pricing strategy and marketing strategy; prepare all preliminary and final cash flows; prepare investment agreement bid specifications and obtain bids for acquisition, debt service reserve, insurance reserve and float funds at time of bond sale pricing; market MHFA's bonds; and prepare final pricing book after pricing of each bond sale. In between bond sales, provide assistance in financial planning and utilization of MHFA fund balances; provide

secondary market for MHFA's bonds; and provide assistance in developing new sources of capital for affordable housing programs. Copies of the RFP may be downloaded from the Agency's **website**: www.mhfa.state.mn.us

Proposals are to be submitted to Minnesota Housing Finance Agency, Patricia Hippe, Deputy Commissioner, 400 Sibley Street, Suite 300, St. Paul, Minnesota 55101-1998 **no later than 12:00 noon, CST, Friday, November 16, 2001.**

Department of Human Services

Community Supports for Minnesotans with Disabilities

Community Support Options

Consumer Directed Home Care Demonstration Project

Notice of Extension of Response Deadline to 12/03/01 for Request for Proposal for Local Project Administrators for the Consumer Directed Home Care Demonstration Project

NOTICE IS HEREBY GIVEN that Community Supports for Minnesotans with Disabilities is extending the response deadline to 12/03/01 for the request for proposal seeking local project administrators for the proposed Consumer Directed Home Care Demonstration Project. The request for proposals seeking local project administrators published on 10/01/01 required responses by November 19th, 2001. The date for responses has been extended to 12/03/01. The Consumer Directed Home Care Demonstration Project is a proposed service delivery alternative intended to improve access, as well as increase consumer control and accountability over available home care resources. Local project administrators will distribute grants to consumers, monitor expenditures and support consumers in their efforts to manage their own safe, independent living. Minnesota counties, tribal nations, not for profit and for profit organizations are invited to submit proposals to bring this program to Minnesotans who use home care services. Videoconferences will be held on October 23 and October 29, 2001 at various statewide sites listed in the request for proposals. Videotapes of the conferences will be available at no charge upon request.

For copies of the Request for Proposals, tapes of the videoconference, or to submit written questions to be addressed at the videoconferences contact:

Jolayne Lange
Email: Jolayne.lange@state.mn.us
Phone: (651) 582-1904

For more information about the Consumer Directed Home Care Demonstration Project contact:

Melaine Fry
Department of Human Services
Community Supports for Minnesotans with Disabilities
444 Lafayette Road North
St. Paul, MN 55155-3857
Phone: (651) 634-2215
Email: melaine.fry@state.mn.us

OR

Sharyl Helgeson
Department of Human Services
Community Supports for Minnesotans with Disabilities
444 Lafayette Road North
St. Paul, MN 55155-3857
Phone: (651) 582-1919
Email: sharyl.helgeson@state.mn.us

Interested parties should submit a complete proposal to this office by 4:30 p.m., on December 3, 2001.

Dated: 19 October 2001

Steve Larson, Director
Community Supports for Minnesotans with Disabilities Division
Department of Human Services

Department of Human Services

Request for Proposals to Provide Management Analysis and Recommendations for Improvement of the State's Voluntary Paternity Acknowledgement Program

The State of Minnesota, through its Department of Human Services (DHS) request proposals to provide a management analysis and recommendations for improvement of the state's Voluntary Paternity Acknowledgement program. DHS' purpose is seeking this analysis is to gain a more complete understanding of any inadequacies in the Voluntary Paternity Acknowledgement program. DHS also seeks recommendations to improve its Voluntary Paternity Acknowledgement program and an assessment of strategies to improve outreach to communities of color, youth, recent immigrants and populations with limited English proficiency. DHS is particularly interested in barriers that may inhibit non-English speaking populations, communities of color, youth, and recent immigrants completing the Voluntary Paternity Acknowledgement forms in hospitals. Additionally, DHS is interested in learning about the practical, legal, and administrative barriers that may limit the effectiveness of broadening the array of service providers that administer the Voluntary Paternity Acknowledgement program. The purpose of this RFP is the contract for professional and technical consulting services with a qualified vendor to assist DHS to both design and manage the study as described herein.

The deadline for submitting proposals: December 10, 2001. To receive a full copy of the Request for Proposals contact the Minnesota Department of Human Services at the following address:

Minnesota Department of Human Services
Attention: Mary L. Golike
444 Lafayette Road
St. Paul, MN 55155-3846
Phone: (651) 215-0421

Department of Military Affairs

Notice of Request for Proposals for Engineering Services for Repairs, Modifications and Painting of Two Water Towers, Camp Ripley, Little Falls, Minnesota (Project No. 01302)

The Minnesota Department of Military Affairs is seeking professional engineering services for the design and construction supervision of interior and exterior structural repairs and modifications including surface preparation and recoating of a 250,000 and 500,000 gallon water tower. Scope of services shall consist of Schematic and Design Development, Construction Documents, Bidding, and Construction Supervision. Scope includes reproduction and distribution of bidding specifications, plans and addenda. At the completion of the project, record sets of drawings will be furnished in electronic digital file on compact disks to show the project "as built".

Project No. 01302 includes:

1. Review the enclosed Water Tower Evaluation report dated March 1, 2001, for the 250,000 gallon water tower at Camp Ripley.
2. A site visit to Camp Ripley to observe and conduct any additional testing (this Consultant deems) necessary to allow for preparation of construction documents.
3. Preparation of Construction Documents to implement all the recommendations in the March 1, 2001, report for the 250,000 water tower including:
 - a. Interior structural repairs and modifications identified in Article 5.1.1 of the report.
 - b. Exterior structural repairs and modifications identified in Article 5.1.2 of the report.
 - c. Inspect the cathodic protection; remove the cathodic protection during interior coating and reinstall as described in Articles 5.2 and 5.2.1.
 - d. Interior surface preparation and recoating as described in Article 5.2.1.
 - e. Exterior surface preparation and recoating as described in Article 5.2.2.

Estimated cost of repairs: \$275,000.

4. Preparation of Construction Documents to make exterior structural upgrades and to resurface the exterior of the existing 500,000 gallon water tower at Camp Ripley as follows:
 - a. Modify as required all existing catwalks, ladders, handrails/toeplates and roof vents to meet current OSHA guidelines and regulations.
 - b. Preparation of all exterior surfaces (tank and support structure systems) to an SSPC SP-6 "Commercial Blast" cleanliness standard. Test paint samples of this tanks' exterior to determine if hazardous waste and containment procedures will be required.
 - c. Apply an epoxy-acrylic-polyurethane coating on all (cleaned) exterior surfaces to match the 250,000 gallon water tower.

Estimated cost of repairs: \$175,000.

Timeline: Proposals to be submitted by 30 November 2001 with contract commencement in December 2001. Contract completion will be within two years.

The Request for Proposal is available by writing or calling, Ms. Carol Prozinski, Minnesota Department of Military Affairs, Facilities Management Office, Camp Ripley, 15000 Highway 115, Little Falls, MN 56345-4173, **phone:** (320) 632-7303 or **email:** prozinskic@mn-arng.ngb.army.mil

Proposals must be submitted in the format provided in the Request for Proposal. Proposals must be received **not later than 2:00 p.m. Central Time, 30 November 2001. No late proposals will be accepted.**

Non-State Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Metropolitan Council – Metro Transit

ADA Improvements for Bus Shelters

The Metropolitan Council is soliciting sealed bids for Metro Transit's ADA Improvements for Bus Shelters at various locations in the Twin Cities area of Minnesota. Bids are due at 2:00 p.m., on November 27, 2001. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council
Metro Transit Purchasing Department
515 N. Cleveland Avenue
St. Paul, MN 55114
Phone: (612) 349-5070

Non-State Contracts & Grants

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at bidinfo.umn.edu or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

Available at Minnesota Bookstore

Order form on back page

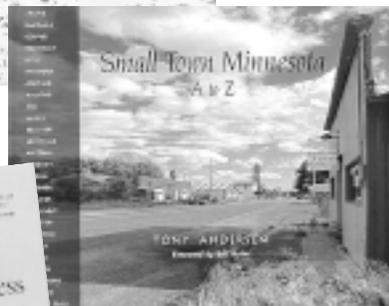
Celebrating our Rural Heritage



Death of the Dream: *Farmhouses in the Heartland*

Death of the Dream tells the story of America's rural past and a forgotten lifestyle-- the vanishing farmhouse of the Midwest and the rich lives that were lived in them. Trace the evolution of the classic farmhouse --from its humble origins through the high tech present-- and learn about the impact that changing economies have had on lives of midwestern farm families. 87 illustrations, including 72 tritone photo plates. Softcover, 128pp.

Stock No. 19-19 \$24.95 + shipping & sales tax



Small Town Minnesota: *A to Z*

Author and photographer Tony Andersen toured Minnesota focusing on 26 communities - one for each letter in the alphabet - that are home to less than 1,000 residents. Follow along with Tony as he writes of the generosity and friendly curiosity of the people on the rural landscape and be reminded of the beauty a small town offers through 160 color photographs.

Stock No. 19-2 \$24.95 + shipping & sales tax



The Witness of Combines

Author Kent Meyers speaks of human kindness, family forgiveness, neighborly helpfulness, insightfulness in fixing a huge and crucial piece of equipment and more. Follow him as he tells the story of growing up on the farm, from the joys of playing in the hayloft as a boy to the obstacles and the steady pattern of chores standard to all farm families. Softcover, 229pp.

Stock No. 19-80 \$16.95 + shipping & sales tax



Letters from the Country

Award-winning author, Carol Bly, welcomes readers to life in the small town of Madison, MN through 30 essays about cultural and daily life in the countryside. Critics have said "No one in this country writes of rural life with more understanding, love, and anger... "Fierce and funny... she's the best thing to come out of rural Minnesota since Sinclair Lewis left Sauk Centre". Softcover, 184pp. **Stock No. 19-42 \$14.95 + shpg & sales tax**

Visit our web site:

www.minnesotasbookstore.com

Available at Minnesota Bookstore

Order form on back page

The Pheasant in Minnesota

A fascinating "magazine" devoted to the ring-neck pheasant. Included is the history of the bird, its origin, development and introduction to this region. Color photos, softcover, 48pp.
Stock No. 9-13 \$5.95 + shpg. & sales tax

Dressing & Cooking Wild Game

Now that you've "bagged your catch", what do you do with it? This book offers clear instructions along with color photos to walk you step-by-step from field dressing and transport to hanging, skinning, butchering, dressing, "clean-up" and freezing. With the hard work out of the way, then cook up one of the mouth-watering recipes for cooking big and small game, upland game birds, and waterfowl. Hardcover, 160pp.
Stock No. 19-38 \$19.95 + shpg. & sales tax

651.297.3000 * 800.657.3757

Mon-Fri 8am-5pm

www.minnesotasbookstore.com

It's Hunting
Season!



Hunter's Field Guide

This popular *Outdoor Life* field guide offers practical advice on how to be a safe, successful and responsible hunter. Through easy-to-read illustrations and text, learn tips on: treating common injuries, reloading shot gun shells, the basics of bow hunting, how to hold and carry a muzzle-loader, recommended shot and target range for various game, and much more. Great tool for the beginner as well as the experienced hunter. Softcover, 194pp.
Stock No. 19-31 \$5.99 + shpg. & sales tax

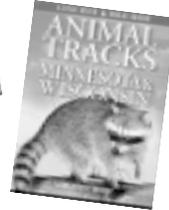
Hunter Education Training Course

Great tool for teaching the beginner the key to safe, successful hunting. This course includes the Hunter's Field Guide (described above), a Workbook and a Safety video. Excellent refresher for the experienced hunter, too! **Stock No. 19-111 ONLY \$14.99 + shpg. & sales tax**

Animal Tracks of Minnesota & Wisconsin

Great drawings and quick reference captions provide a solid picture of more than 60 different mammals, birds and reptiles of our area. Truly pocket-sized, this field guide identifies animal tracks charting the size of fore prints and hind prints, stride and straddle patterns, and descriptive information about the creature's behavior. Softcover, 160pp.
Stock No. 9-72 \$6.95 + shpg. & sales tax

Hunting and
Wildlife
Guides



Celebrating our Rural Heritage



Death of the Dream: Farmhouses in the Heartland

Death of the Dream tells the story of America's rural past and a forgotten lifestyle-- the vanishing farmhouse of the Midwest and the rich lives that were lived in them. Trace the evolution of the classic farmhouse --from its humble origins through the high tech present-- and learn about the impact that changing economies have had on lives of midwestern farm families. 87 illustrations, including 72 tritone photo plates. Softcover, 128pp.
Stock No. 19-19 \$24.95 + shipping & sales tax

Small Town Minnesota: A to Z

Author and photographer Tony Andersen toured Minnesota focusing on 26 communities - one for each letter in the alphabet - that are home to less than 1,000 residents. Follow along with Tony as he writes of the generosity and friendly curiosity of the people on the rural landscape and be reminded of the beauty a small town offers through 160 color photographs.

Stock No. 19-2 \$24.95 + shipping & sales tax

Visit our web site:

www.minnesotasbookstore.com

